

HOUSE BILL 1087
By McMillan

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 7, relative to establishing a waiver of
postsecondary tuition and fees for young adults in
or formerly in the custody of the state.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by
adding the following language as a new, appropriately designated section:

Section 49-7-1__.

(a) Tuition, maintenance fees, student activity fees and required registration or
matriculation fees at any state operated institution of higher education shall be waived
for any undergraduate program for a youth in or formerly in the custody of the state who
is a full-time or part-time student if the student meets all entrance requirements and
maintains academic eligibility while enrolled at the postsecondary institution, and if:

(1) The student was in state custody for at least one (1) year after
reaching fourteen (14) years of age;

(2) The student was in state custody for at least one (1) year after
reaching fourteen (14) years of age and placed for adoption by the department of
children's services or one of its adoption contract agencies and the adoption was
finalized; or

(3) The student was in state custody for at least one (1) year and placed
in permanent guardianship by the department of children's services after
reaching fourteen (14) years of age.

(b) The student shall present the state institution with official certification from the department of children's services that the student meets the eligibility requirement for waiver of fees and tuition.

(c) The student shall request financial aid by applying for the Tennessee HOPE scholarship, if eligible, and by completing the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. The tuition waiver shall be coordinated with available funding through the Federal Foster Care Independence Act of 1999 when appropriate. The funds made available to the student from the Federal Foster Care Independence Act of 1999 shall be used to cover the expenses of housing, meals, books and supplies, and the tuition and mandatory fees shall be waived in accordance with these provisions. If the sum of the tuition waiver plus other student financial assistance, except loans, from all sources exceeds the student's total cost of attendance, as defined in 20 U.S.C. § 1087//, then the Federal Foster Care Independence Act assistance shall be reduced by the amount exceeding the total costs of attendance.

(d) The student shall be eligible for the tuition waiver:

(1) For entrance to the institution for a period of no more than four (4) years after the date of graduation from high school or equivalent; and

(2) For a period of six (6) years after admittance to an institution if satisfactory progress is achieved or maintained.

(e) Nothing in this section shall be construed to:

(1) Guarantee acceptance of or entrance into any postsecondary institution for youth in or formerly in the custody of the state;

(2) Limit the participation of a youth in or formerly in the custody of the state in any other program of financial assistance for postsecondary education;

or

(3) Require any postsecondary institution to waive costs or fees relating to room and board.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.